

CONTRACT #2
RFS # 348.00-009

**Tennessee Bureau of
Investigation**

VENDOR:
Printrak International, Inc.,
A Motorola Company



PHIL BREDESEN
GOVERNOR

TENNESSEE BUREAU OF INVESTIGATION

901 R.S. Gass Boulevard
Nashville, Tennessee 37216-2639
(615) 744-4000
Facsimile (615) 744-4500
TDD (615) 744-4001



MARK GWYN
DIRECTOR

December 29, 2006

Mr. James White
Director of Fiscal Review Committee
Rachel Jackson Building
8th Floor
Nashville, TN 37243

RE: Non-Competitive Amendment for FA-02-14946-02

Dear Mr. White:

This letter is submitted to request a non-competitive amendment for the above-referenced contract.

This contract began in June of 2002 and served to upgrade the Tennessee AFIS system which processes and stores searches of criminal and applicant fingerprint information. In May of 2004, the TBI requested and received permission from the Fiscal Review Committee to expand the storage capabilities of the AFIS 2000 system by way of a non-competitive amendment. The next year, in March of 2005, the TBI requested and received permission for a non-competitive amendment to replace the AFIS 2000 system with the AFIS BIS, a new and better system. This amendment expanded the maximum liability and extended the contract term. When requesting the funding amount, TBI mistakenly believed that more funding existed in the original contract than did. The proposed amendment will extend the maintenance milestones through the end of the contract and request funding to pay for the last few months of maintenance.

The AFIS is a critical system for the Tennessee Bureau of Investigation. The State of Tennessee has invested millions of dollars into upgrading and maintaining the current AFIS and it would cost in excess of ten million dollars to use a new vendor and begin the process again. For that reason, we respectfully submit that it is in the best interest of the State to continue to use the current vendor, Printrak International, a Motorola Company for its AFIS needs.



INTERNATIONALLY ACCREDITED SINCE 1994

Enclosed you will find the information requested by your office for your consideration.
If you need anything further, please contact me at (615) 744-4296.

Sincerely,

A handwritten signature in black ink, reading "Nancy B. Myers". The signature is written in a cursive style with a large initial "N" and a stylized "B".

Nancy B. Myers

Enclosures:

Non-Competitive Amendment Request
Proposed Amendment 3
Original Contract
Amendment 1
Amendment 2

REQUEST: NON-COMPETITIVE AMENDMENT

Tennessee Bureau of Investigation
901 R.S. Gass Blvd.
Nashville, TN 37216

APPROVED

Commissioner of Finance & Administration

Date:

EACH REQUEST ITEM BELOW MUST BE DETAILED OR ADDRESSED AS REQUIRED.

1) RFS # 348.00-009

2) State Agency Name : Tennessee Bureau of Investigation

RECEIVED

DEC 20 2006

EXISTING CONTRACT INFORMATION

3) Service Caption : Provide maintenance and support on Printrak AFIS BIS.

FISCAL REVIEW

4) Contractor : Printrak International, A Motorola Company

5) Contract # FA-02-14946-02

6) Contract Start Date : June 28, 2002

7) Current Contract End Date IF all Options to Extend the Contract are Exercised : June 27, 20078) Current Total Maximum Cost IF all Options to Extend the Contract are Exercised : \$ 5,391,385

PROPOSED AMENDMENT INFORMATION

9) Proposed Amendment # 310) Proposed Amendment Effective Date : 12-01-06
(attached explanation required if date is < 60 days after F&A receipt)11) Proposed Contract End Date IF all Options to Extend the Contract are Exercised : June 27, 200712) Proposed Total Maximum Cost IF all Options to Extend the Contract are Exercised : \$ 5,601,625

13) Approval Criteria : (select one)

☒ use of Non-Competitive Negotiation is in the best interest of the state

☐ only one uniquely qualified service provider able to provide the service

14) Description of the Proposed Amendment Effects & Any Additional Service :

The amendment adds needed funds to the contract. The last amendment miscalculated the amount needed for maintenance and support on the BIS through June of 2007. No additional services will be added.

15) Explanation of Need for the Proposed Amendment :

Funds are needed in order to meet the obligations of the state to the Contractor under the current contract. The maintenance costs

REQUEST: NON-COMPETITIVE AMENDMENT

Tennessee Bureau of Investigation
901 R.S. Gass Blvd.
Nashville, TN 37216

APPROVED

Commissioner of Finance & Administration
Date:

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1) RFS # 348.00-009

2) State Agency Name : Tennessee Bureau of Investigation

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(attached explanation required if date is < 60 days after F&A receipt)

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(select one)

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14) Description of the Proposed Amendment Effects & Any Additional Service :

The amendment adds needed funds to the contract. The last amendment miscalculated the amount needed for maintenance and support on the BIS through June of 2007. No additional services will be added.

15) Explanation of Need for the Proposed Amendment :

Funds are needed in order to meet the obligations of the state to the Contractor under the current contract. The maintenance costs

were miscalculated under Amendment 2.

16) Name & Address of Contractor's Current Principal Owner(s) :
(not required if proposed contractor is a state education institution)

Printrak International, A Motorola Company, 1250 North Tustin Avenue, Anaheim, CA 92807

17) Documentation of Office for Information Resources Endorsement :
(required only if the subject service involves information technology)

select one:

☐

Documentation Not Applicable to this Request

☒

Documentation Attached to this Request

18) Documentation of Department of Personnel Endorsement :
(required only if the subject service involves training for state employees)

select one:

☒

Documentation Not Applicable to this Request

☐

Documentation Attached to this Request

19) Documentation of State Architect Endorsement :
(required only if the subject service involves construction or real property related services)

select one:

☒

Documentation Not Applicable to this Request

☐

Documentation Attached to this Request

20) Description of Procuring Agency Efforts to Identify Reasonable, Competitive, Procurement Alternatives :

It would not be in the best interest of the state to pursue other competitive procurement alternatives. The AFIS currently used by the TBI would have to be replaced by another AFIS and maintenance sought by that particular AFIS vendor. This would cost the state millions of dollars to replace.

21) Justification for the Proposed Non-Competitive Amendment :

The Automated Fingerprint Identification System (AFIS) at TBI is a Motorola product. This particular AFIS is a proprietary system with only one uniquely qualified source for maintenance and support is the manufacturer and system engineer (Motorola).

There are only a handful of AFIS vendors available. All are very large companies with significant resources. The AFIS is an extremely complex system that uses advanced algorithms to classify and match fingerprints (and other biometric identifiers). They all invest significantly in the research and on-going technology advancements in the field of biometrics, and they hold their product information very close.

REQUESTING AGENCY HEAD SIGNATURE & DATE :

(must be signed & dated by the ACTUAL procuring agency head as detailed on the Signature Certification on file with OCR— signature by an authorized signatory will be accepted only in documented exigent circumstances)

Agency Head Signature

Date

12/20/2006 10:31

615-741-1357

TBI

003006

**FAX TRANSMITTAL****to Request OIR Procurement Endorsement**

TO : Jane Chittenden, Director
OIR Procurement & Contract Management **FAX # 741-6164**

FROM : Nancy Myers, Staff Attorney **FAX # 744-4656**

DATE : 12-19-06

RFS # 348.00-009

RE : Procurement Endorsement — Maintenance and Support for AFIS BIS

NUMBER OF FAX PAGES (including cover) : 3

The nature and scope of service detailed in the attached service procurement document(s) appears to require Office for Information Resources (OIR) review and support, because the procurement involves information technology or information systems services.

This communication seeks to ensure that OIR is aware of the procurement and has an opportunity to review the matter. Please determine whether OIR is supportive of the procurement. If you have any questions or concerns about this matter, please call Nancy Myers at 744-4296.

Please indicate below your response to this proposed procurement, and return this communication at your earliest convenience (note the return FAX number above).

Thank you for your help.

*Thanks.**Nancy*

Attachment(s)

OIR Endorsement :*Bill Ezell (gc)**12/20/06***OIR Chief Information Officer****Date**

PROPOSED DRAFT

**AMENDMENT THREE
TO CONTRACT # FA-02-14946-02**

This contract by and between the State of Tennessee, Tennessee Bureau of Investigation, hereinafter referred to as the State, and Printrak International, Inc., a Motorola Company, hereinafter referred to as the Contractor, is hereby amended as follows:

1. Delete C.1 in its entirety and insert the following in its place:

In no event shall the maximum liability of the State under this Contract exceed five million three hundred ninety one thousand three hundred eighty five dollars (\$5,601,625.) The Service Rates, Change Order Hourly Rate and the Maximum Cumulative Amount, and System Support Payment Methodology in subsection C3 and C4 and as specified in Attachment A and Attachment C hereto shall constitute the entire compensation due the Contractor for the Service and all of the Contractor's obligations hereunder regardless of the difficulty, materials, or equipment required. The Service Rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The Contractor is not entitled to be paid the maximum liability for any period under the Contract or any extensions of the Contract for work not requested by the State. The maximum liability represents available funds for payment to the Contractor and does not guarantee payment of any such funds to the Contractor under this Contract unless the State requests work and the Contractor performs said work as specified herein in Attachment A. In which case, the Contractor shall be paid in accordance with C.3, Attachment A, and Attachment C, Exhibit C for the Service Rates. The State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this contract.

2. Add the following to C.3. as additional milestones and renumber any subsequent sections as necessary:

MILESTONES AS DEFINED IN ATTACHMENT A-1

AMOUNT

Fifth Year Maintenance and Support on AFIS BIS

\$ 34,378.75

(2-1-07 through 6-27-07 @ \$ 34,378.75 per month)

The other terms and conditions of this Contract not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF:

Printrak International Inc., A Motorola Company

Date**Tennessee Bureau of Investigation:**

Mark R. Gwyn, Director

Date**APPROVED:****DEPARTMENT OF FINANCE AND ADMINISTRATION:**

M. D. Goetz, Jr., Commissioner

Date**DEPARTMENT OF PERSONNEL:**

Randy C. Camp, Commissioner

Date**COMPTROLLER OF THE TREASURY:**

John G. Morgan, Comptroller of the Treasury

Date

March 28, 2005

Contract 4 (RFS#348.00-009 – Tennessee Bureau of Investigation with Printrak International Inc., a Motorola Company) – Ms. Nancy Myers, Staff Attorney, and Mr. Brad Truett, Assistant Director with the Bureau's Information System, presented the following information relative to this contract. Ms. Myers identified this as a noncompetitive amendment that will add two years to the original contract which will now have an ending date of June 30, 2007 and completely revamp the AVIS 2000 system. The amendment will add palm print capabilities, mug shots, support of mobile units, increase storage and improve overall speed and accuracy, and maintenance of the system. Mr. Truett answered technical questions asked by Committee members. Representative Todd asked if training for officers would be included and was answered in the affirmative. Representative Rowland posed the question as to how long the proposed storage contained in the amended contract would last. Mr. Truett stated that it would not run out during the two year period of the contract amendment. Representative Rowland also inquired as to why bids were not solicited from other companies offering these services. Mr. Truett stated that there are three large companies providing these services, but it is much less expensive for Printrak International to add on to their existing system than for another company to completely start up a new program. Senator Fowler questioned the fact that Printrak no longer provides engineering to the older technology such as the AFIS 2000 system currently in use at TBI. Mr. Truett stated that with these upgrades, the AFIS 2000 system would become the AFIS 2005 system. Representative Pruitt voiced her concern as to some of the new technology being used incorrectly.

Representative Todd moved approval of the contract; Representative Rowland seconded the motion, and it carried unanimously.

Contract 5 (UT Tracking No. 90063 – University of Tennessee with UT Medical Group, Inc.) a 5-year grant with a cost of \$1,861,180 for on-site clinical specialty services for the developmental disability population at Arlington Developmental Center with a start date of 7/1/2004. Chairman McLeary informed members that this contract had been rolled from the last meeting due to the request for additional information. He told members that Mr. Bill Rice, Chancellor for the University of Tennessee Health Science Center, was present today and would try to answer any questions. Chancellor Rice gave a brief background of the UT Medical Group stating that it was formed in the 1970s as a



**GENERAL ASSEMBLY OF THE STATE OF TENNESSEE
FISCAL REVIEW COMMITTEE**

320 Sixth Avenue North – 8th Floor
NASHVILLE, TENNESSEE 37243-0057
615-741-2564

**Representative Charles Curtiss
Chairman**

**Senator Don McLeary
Vice-Chairman**

M E M O R A N D U M

TO: The Honorable Dave Goetz, Commissioner
Department of Finance and Administration

FROM: Charles Curtiss, Chairman
Don McLeary, Vice-Chairman

DATE: March 29, 2005

SUBJECT: **Contract Comments**
(Contract Services Subcommittee Meeting 3/28/05)

RFS# 348.00-009

Department: Tennessee Bureau of Investigation

Contractor: Printrak International, Inc., a Motorola Company

Summary: The contract amendment expands the capabilities of the existing AFIS 2000 NIST archive system by replacing it with a newer system that will allow for palm prints, mug shots, support to mobile units, increased storage, and system maintenance. This contract amendment is for a two-year term beginning on 7/1/2005 and ending on 6/30/2007.

Original maximum liability: \$2,497,024

Maximum liability with amendment: \$5,391,385

After review, the Fiscal Review Committee voted to recommend approval of the contract amendment.

CC:LSC

cc: The Honorable Mark Gwyn, Executive Director
Mr. Robert Barlow, Director, Office of Contracts Review

CONTRACT SUMMARY SHEET

Contract Number	348.00-009	Contract Number	FA-02-14946-02
State Agency	Tennessee Bureau of Investigation	Division	Information Systems
Contractor	Printrak International, Inc., a Motorola Company		
Contractor Identification Number	33-0070547		

This amendment will upgrade the system that processes and stores searches of Criminal and applicant fingerprint information necessary to support the states central repository of criminal records information. The upgrade will replace the current AFIS 2000 system with the Printrak BIS.

Contract Start Date				Contract End Date			
28-Jun-02				27-Jun-07			
Allocation Code	Cost Object	Object Code	Fund	Class	Grant Code	Subgrant Code	
34800	Various	Various	11	X	on STARS	34D	
FY	State Funds	Federal Funds	Intergovernmental Funds	Other Funding	Total Contract Amount		
2002		\$360,652.00		\$139,348.00	\$500,000.00		
2003				\$1,129,860.00	\$1,129,860.00		
2004			\$76,000.00	\$388,220.00	\$464,220.00		
2005				\$402,944.00	\$402,944.00		
2006		\$1,626,760.00		\$1,217,057.02	\$2,843,817.02		
2007				\$50,543.98	\$50,543.98		
Total		\$1,987,412.00			\$5,391,385.00		

CFDA Number	SAC Fiscal Contract		Check the box below ONLY if the answer is YES	
Name	Brian Senecal, Fiscal Director		Is the contract a SUBREQUIREMENT OF A F-15?	X
Address	901 R. S. Gass Blvd., Nashville, TN 37216-2639		Is the contract a VENDOR OF A F-15?	
Phone	615-744-4112		Is the fiscal year funding \$1,000,000 or more?	
Procurement Agency Budget Officer Signature			Is the contract on STARS?	X
			Is the contract's FORM W-9 ATTACHED?	
			Is the contractor's FORM W-9 filled with a signature?	X

Brian Senecal / RL

Pursuant to T.C.A., Section 9-6-113, I, M. D. Goetz, Jr., Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.

COMPLETE FOR ALL AMENDMENTS ONLY		
	Base Contract & Prior Amendments	This Amendment ONLY
End Date	28-Jun-05	27-Jun-07
FY	2002	\$500,000.00
FY	2003	\$1,129,860.00
FY	2004	\$464,220.00
FY	2005	\$402,944.00
FY	2006	\$2,843,817.02
FY	2007	\$50,543.98
Totals	\$2,497,024.00	\$2,894,361.00

SEP 27 2005

DIRECTOR OF ACCOUNTS

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2005 JUL - 1 PM 2:49
COMPTROLLER'S OFFICE
OFFICE OF
MANAGEMENT SERVICES

